

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4312 of 1986

and

SPECIAL CIVIL APPLICATION No 3293 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

RAMABHAI BALCHANDDAS PATEL

Versus

STATE OF GUJARAT

Appearance:

Special Civil Application No. 4312 of 1986

MR RP BHATT for Petitioners

MR A.P.Desai, AGP for Respondent No. 1

MR ND NANAVATI for Respondent No. 5

SPECIAL CIVIL APPLICATION No 3293 of 1987

PATEL BABALDAS KANJIBHAI

Versus

STATE OF GUJARAT

Appearance:

MR ND NANAVATI for Petitioner
MR A.P.Desai, APP for Respondent No. 1
MR PK JANI for Respondent No. 5, 6, 7

CORAM : MR.JUSTICE R.K.ABICHANDANI

Date of Order: 12/04/99

ORAL ORDER

In SCA No. 4312 of 1986 the petitioners who are the members of Unjha Agricultural Produce Market Committee had sought a direction on the Administrator to hand over the management of the affairs of the Market Produce Committee of Unjha to the elected members of the Market Committee and sought a direction on the Director of Agricultural Marketing and Rural Finance to vacate the order dated 3.12.86 on the application of Babaldas Kanjibhai Patel (Petitioner in SCA No. 3293 of 1987) restraining the further proceedings for election of the Chairman and Vice Chairman of the Agricultural Produce Market Committee.

2. In SCA No. 3293 of 1987 the order passed by the Government on 25.5.87 in revision confirming the order dated 1.9.86 of the Director setting aside the election of the two members elected at the bye election, has been challenged.

3. When these petitions were called out, it was pointed out by the learned counsel for both the sides that these petitions had become infructuous. Not only the tenure of the Committee had come to an end in 1990 but thereafter the newly elected Committees had also exhausted their tenure in 1994 and 1999 . As per the provisions of section 11(4) of the Gujarat Agricultural Produce Markets Act 1963, the term of office of a Market Committee is four years from the date of its first general meeting. It is therefore, obvious that both these petitions have become infructuous and therefore, both these petitions are dismissed as infructuous. Rule is discharged in each of these petitions with no order as to costs.

